

RESPONSE AND REMARKS

The recent telephone interview on June 2, 2004 with Examiners Diaz and Van Doren is gratefully acknowledged with appreciation. A summary of the substance of the interview is included in the substance of this Response and Remarks as required by the rules and as indicated in the Interview Summary dated June 8, 2004.

It is noted that to facilitate the June 2, 2004 telephone interview, the Examiner requested, and Applicant provided, an outline of topics for discussion. The telephone interview was conducted with reference to the outline of topics, the reference cited in the Office Action, and the specification, claims and drawings of the present application.

In the Office Action, the Examiner rejected the Claims under 35 U.S.C. § 102(e) as being anticipated by Cameron, et al., U.S. Patent No. 5,832,459 ("Cameron"). The Examiner's rejection of the Claims has been carefully considered.

Amendments to Claims 1 through 9, filed concurrently herewith, more particularly claim the invention. New Claims 10 through 18 have been added. New Claim 10 is independent. New Claims 11 through 13 are dependent on or derive their dependency from New Claim 10. New Claims 14 through 18 are dependent on or derive their dependency from currently amended Claim 1.

It is respectfully submitted that independent Claims 1, 4, and 7, as amended, and new independent Claim 10, are patentably distinct from the cited reference in that independent Claims 1, 4, and 7, as amended, and new independent Claim 10, are directed to a cross-comparison of schedules for each delivery service of a plurality of delivery services offered by each carrier of a plurality of carriers to deliver a particular parcel.

In rejecting the Claims under 35 U.S.C. § 102(e) as being anticipated by Cameron, the Examiner interpreted Cameron as disclosing a system that determines, across multiple carriers and multiple services, delivery schedules in response to a user's request to ship a particular parcel. To support the proposition that Cameron discloses such scheduling determination, the Examiner

cited Cameron, figures 1, 6, 28, and 29, and column 4, lines 65-67, column 5, lines 1-15 and 25-33, column 17, lines 60-67, and column 18, lines 10-50.

It is respectfully submitted that although Cameron discloses a system that displays *costs* across multiple carriers and multiple services, it does not disclose a system that determines *delivery schedules* across multiple carriers and multiple services in response to a user's request to ship a parcel.

Cameron discloses a system that first determines a particular carrier and delivery service level according to some criteria, such as pricing. Cameron, Col. 9, lines 9 – 17 (“automatically determines the best shipping carrier and service level for the offer being ordered by the customer . . . based, in part, on the shipment carriers and shipment service levels available, the offer being ordered and the shipment address. . . . This feature is extremely important in light of . . . delivery providers becoming more price competitive.”).

Cameron discloses that, alternatively, a user of the Cameron system can override the system-determined carrier and service and indicate the user's choice of carrier and service. (Cameron, Col. 9, lines 17 – 18 (“The user, however, may override the system's determination if desired”)).

It is respectfully submitted that the determination of a delivery schedule across multiple carriers and multiple delivery services of the claimed invention is distinguished from Cameron. As compared to the present claimed determination of a delivery schedule across multiple carriers and multiple services, Cameron discloses a system that determines only a single arrival date for a particular delivery service level for a particular carrier that has either been automatically determined by the Cameron system or has been selected by a user of the Cameron system. Cameron, Col. 18, lines 9 – 17 (“Shipping window 270 also displays shipping information in data capture fields 276. . . . [that] includes the shipping carrier and shipping service level, the shipping and arrival date and the cost for shipping the order with that carrier and at that service level. As previously stated herein, the preferred system automatically determines the best shipping method based in part on the offer being ordered, the shipping address, and the shipping carrier and shipping service level.”); see also, Cameron, FIG.

29. It is respectfully submitted that the determination of a delivery schedule across multiple carriers and multiple delivery services of the claimed invention is patentably distinct from Cameron's determination of only a single arrival date for a particular service level offered by a particular carrier that has been identified by the Cameron system.

It is respectfully submitted that the present claimed invention can also be distinguished from a listing of various delivery service levels offered by a single carrier, e.g., overnight, 2-day, etc. Importantly, the determination and display of a cross-comparison of potential delivery schedules for various delivery services offered by a single carrier differs from what could be termed a "presumed delivery schedule," as discussed further below, for various delivery service levels offered by a single carrier.

A "presumed delivery schedule" for a particular parcel that is to be sent on a particular day using, for example, an "overnight" service, would be the following calendar day. However, certain carriers and/or delivery services may not support delivery on certain days, for example, Saturdays, or Sundays, or Holidays. That is, the potential delivery schedule for each delivery service for each carrier will depend on the particular rules for each delivery service and each carrier.

Therefore, if one carrier and delivery service supports Saturday delivery and a second carrier and delivery service do not, the potential delivery schedule for those two carriers and the respective delivery services will differ depending on the shipping date. For example, for a particular package that is to be shipped on a Friday, the potential delivery schedule to delivery that package for a first carrier and a first delivery service that do not support Saturday or Sunday delivery would be the following Monday; the potential delivery schedule to delivery that package for a second carrier and a second delivery service that do support Saturday delivery would be the following day, Saturday.

It is respectfully submitted that the multiple shipping user access of the subject shipping management computer system over a global communications network of Claims 1, 4, and 7 is still further distinguished from Cameron in view of Cameron's company-specific order-entry nature. Cameron discloses an order

entry system. Cameron, col.4, line 66. Further, the Cameron order entry system is disclosed as being implemented on a company-specific basis. See, e.g., Cameron, col. 5, line 65 through col. 6, line 12. That is, although Cameron discloses shipping to multiple recipients, a Cameron company-specific system installation would be directed to a single company shipper. See, e.g., Cameron, col. 6, lines 2 through 12.

As distinguished from a company-specific installation of an order entry system such as in Cameron, the present claimed invention is directed to a shipping management computer system simultaneously accessible to a plurality of different shippers, each with their own respective set of shipping address, pickup location and/or drop-off location information.

It is therefore respectfully submitted that independent Claims 1, 4, and 7, as amended, and new independent Claim 10, are patentable over the cited reference because, as distinguished from Cameron's determination of a single delivery date for a single carrier and delivery service, the claims are directed to a determination of a potential cross-comparison delivery schedule for multiple delivery services for multiple carriers. It is respectfully noted that although Claim 10 does not explicitly recite the word of "cross-comparison," Claim 10 distinctly claims displaying both a first set of delivery schedules, service charges, and shipment types for a first carrier, as well as second set of delivery schedules, service charges, and shipment types for a second carrier. It is respectfully submitted that the display of both first and second sets of delivery schedules, service charges, and shipment types for multiple carriers constitutes a cross-comparison.


Further, it is respectfully submitted that independent Claims 1, 4, and 7, are also patentable over the cited reference because, as distinguished from Cameron's order entry character, independent Claims 1, 4, and 7 are directed to a shipping management computer system that is simultaneously accessible to a plurality of different shippers, each with their own respective set of shipping address, pickup location and/or drop-off location information.

For the foregoing reasons, because independent Claims 1, 4, and 7 (as amended), and new independent Claim 10, are patentable over the cited reference, Applicant respectfully submits that dependent Claims 2 through 3, 5 through 6, 8 through 9, and 11 through 18 are therefore also patentable over the cited reference.

In view of the foregoing amendments, Applicant respectfully submits that the invention disclosed and claimed in the present amended application is not fairly taught by any of the references of record, taken either alone or in combination, and that the application is in condition for allowance. Accordingly, Applicant respectfully requests reconsideration and allowance of the amended application.

Respectfully submitted,

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